

**Motions**  
**Special Town Meeting May 2004**

**1. AMEND FY 2004 OPERATING BUDGET**

Motion by: Board of Selectmen Chair Donald Wheeler

(Majority vote required)

I move to amend the operating budget for the fiscal year beginning July 1, 2003 as voted under Annual Town Meeting Article 5 on May 27, 2003, by adjusting the line items as printed in the warrant under Article 1.

**2. CAPITAL EXPENDITURE – RANGE WING LAWNMOWER**

Motion by: Board of Selectmen Member Kristin Hilberg

(Majority vote required)

I move to transfer from the surplus funds voted under Article 1 of the special town meeting warrant the sum of Thirty-two Thousand Dollars (\$32,000) for the purpose of acquiring a range wing lawnmower for the Public Works Department.

**3. CAPITAL EXPENDITURE – POLICE CRUISER**

Motion by: Board of Selectmen Member Kristin Hilberg

(Majority vote required)

I move to transfer from the surplus funds voted under Article 1 of the special town meeting warrant the sum of Thirty-two Thousand One Hundred Fifty-three Dollars (\$32,153) for the purpose of acquiring a police cruiser for the Police Department.

**4. SUPPLEMENTAL APPROPRIATION UNDER ARTICLE 40, ATM MAY 2000**

Motion by: Board of Selectmen Member Kristin Hilberg

(Majority vote required)

I move to transfer from the surplus funds voted under Article 1 of the special town meeting warrant the sum of Six Thousand One Hundred Seventy-three Dollars and Fifty Cents (\$6,173.50) for the purpose of increasing the appropriation under Article 40, Dispatch Center Funding, as voted by Town Meeting on May 9, 2000.

**Motions**  
**Annual Town Meeting May 2004**

**2. HEAR AND ACCEPT REPORTS**

Motion by: Board of Selectmen Chair Donald Wheeler

(Majority vote required)

I move to accept the reports of the Selectmen and other Town Officers, Agents and Committees as printed in the 2003 Annual town Report.

**3. SET SALARIES AND COMPENSATION OF OFFICERS**

Motion by: Board of Selectmen Chair Donald Wheeler

(Majority vote required)

I move to fix the salaries and compensation of various officials for the year beginning July 1, 2004 as printed in the warrant under Article 3.

**4. PERSONNEL ADMINISTRATION PLAN CHANGES**

Motion by: Personnel Board Chair Richard Golden

(Majority vote required)

I move to amend the Town of Boxborough Personnel Administration Plan Schedule B, as printed in the warrant under Article 4.

**5. TOWN OPERATING BUDGET**

Motion by: FinCom Chair Gary Kushner

(Majority vote required)

I move that the Town appropriate the sum of

**\$15,733,685**

for the operations and expenses of the Town during the fiscal year beginning July 1, 2004, the purposes for which funding are set forth in the Department Account Numbers 114 through 945, and any subheadings included under said account numbers, as printed in Article 5 of the warrant, under the heading FY '05 Budget.

and to meet this appropriation that	\$11,709,114	be raised by taxation,
that estimated Cherry Sheet Aid of	\$1,846,276	
and estimated local receipts of	\$1,315,566	be applied against this appropriation,
that	\$826.36	be transferred from the closing out of old articles as printed in the warrant under Article 6,
that	\$68,036.32	be transferred from overlay surplus,
that	\$8,113.40	be transferred from debt service reserve for the conservation land purchase,
that	\$3,417.68	be transferred from debt service reserve for the Liberty Field Construction,
that	\$18,208.48	be transferred from debt reserve for the Library Construction,
and that an amount of	\$764,126.76	or any lesser amount be transferred from Free Cash.

**6. CLOSE OUT OLD ARTICLES\*\***

Motion by: Consent Agenda (or Board of Selectmen Chair Donald Wheeler)

(Majority vote required)

I move to transfer the unexpended balance of monies in the amount of Eight Hundred Twenty-Six Dollars and thirty-six cents (\$826.36) as voted by past Town Meetings, to be used towards funding the Town's operating budget for the fiscal year beginning July 1, 2004 as detailed in Article 5.

**7. REVOLVING FUND - ELECTRICAL INSPECTION\*\***

Motion by: Consent Agenda (or Board of Selectmen Chair Donald Wheeler)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving fees and paying the Electrical Inspector for inspections conducted by him up to Fifty Thousand Dollars (\$50,000), to be under the direction of the Building Inspector who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of fiscal year 2005 be carried over into fiscal year 2006 to pay for inspections for permits not yet completed.

**8. REVOLVING FUND - PLUMBING AND GAS INSPECTION\*\***

Motion by: Consent Agenda (or Board of Selectmen Chair Donald Wheeler)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving fees and paying the Plumbing/Gas Inspector for inspections conducted by him up to Fifteen Thousand Dollars (\$15,000) to be under the direction of the Building Inspector who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of fiscal year 2005 be carried over into fiscal year 2006 to pay for inspections for permits not yet completed.

**9. REVOLVING FUND – FIRE ARMS PERMITS\*\***

Motion by: Consent Agenda (or Board of Selectmen Chair Donald Wheeler)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving monies and paying expenses for Fire Arms Permits up to Two Thousand Dollars (\$2,000) to be under the direction of the Police Chief who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of fiscal year 2005 be carried over into fiscal year 2006 to pay for expenses not yet completed.

**10. REVOLVING FUND – LIBRARY FINES\*\***

Motion by: Consent Agenda (or Library Board of Trustees Member Greg Ross)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving library fees, fines and penalties and that all fees, fines and penalties be deposited in said fund to pay for library material acquisitions or services, up to a maximum of Five Thousand Dollars (\$5,000), to be under the direction of the Library Director who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of the fiscal year 2005 be carried over into fiscal year 2006 to pay for expenses not yet completed.

**11. REVOLVING FUND – DOG LICENSE FEES\*\***

Motion by: Consent Agenda (or Board of Selectmen Member Kristin Hilberg)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving dog licensing fees and that all licensing fees and penalties be deposited in said fund to pay for costs up to a maximum of Four Thousand Dollars (\$4,000) annually relating to the licensing, damage to livestock and fowl, and penalties paid to the Dog Officer, to be under the direction of the Town Clerk who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of fiscal year 2005 be carried over into fiscal year 2006 to pay for expenses not yet completed.

**12. REVOLVING FUND – STEELE FARM\*\***

Motion by: Consent Agenda (or SFAC Chair Owen Neville)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving monies from the sale of trees and other wood and farm products and from leasing and rental fees and paying expenses of the Steele Farm up to Three Thousand Dollars (\$3,000), to be under the direction of the Steele Farm Advisory Committee who shall approve all such expenditure by a majority vote; and further to provide that the monies remaining in the fund at the end of fiscal year 2005 be carried over into fiscal year 2006 to pay for expenses not yet completed

**13. REVOLVING FUND – INTEGRATED PRESCHOOL PROGRAM\*\***

Motion by: Consent Agenda (or School Committee Chair Raid Suleiman)

(Majority vote required)

I move to reauthorize a revolving fund pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 for the purposes of receiving monies and paying expenses for the Integrated Preschool Program up to Forty-Four Thousand Dollars (\$44,000), to be managed by the Blanchard Memorial School Business Manager, who under the direction of the Boxborough School Committee and Blanchard Memorial School Superintendent, shall approve all such expenditures; and further to provide that the monies remaining in the fund at the end of fiscal year 2005 be carried over into fiscal year 2006.

**14. ELDERLY TAX RELIEF – INCREASE IN EXEMPTIONS\*\***

Motion by: Consent Agenda (or Board of Selectmen Member David Birt)

(Majority vote required)

I move to accept Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for an increase up to 100% in certain property tax exemptions for qualifying senior citizens, disabled veterans and other individuals.

**15. ELDERLY TAX RELIEF – ADJUST ELIGIBILITY REQUIREMENTS FOR PROPERTY TAX EXEMPTION\*\***

Motion by: Consent Agenda (or Board of Selectmen Member David Birt)

(Majority vote required)

I move to adjust the eligibility requirements senior citizens must meet in order to qualify for a property tax exemption under M.G.L. Chapter 59, Section 5(41C) and the amount of the exemption granted to those who qualify for the fiscal year beginning July first two thousand and four (7/1/04) as printed in the warrant under Article 15.

**16. ELDERLY TAX RELIEF – INCREASE IN INCOME AND ASSET LIMITS BY COLA\*\***

Motion by: Consent Agenda (or Board of Selectmen Member David Birt)

(Majority vote required)

I move to accept M.G.L. Chapter 59, Section 5(41D) to increase the amount of the income and assets certain senior citizens may have to qualify for an exemption under M.G.L. Chapter 59 Section 5(41C) by the COLA determined by the Commissioner of Revenue.

**17. ELDERLY TAX RELIEF – INCREASE IN ASSET LIMITS BY COLA\*\***

Motion by: Consent Agenda (or Board of Selectmen Member David Birt)

(Majority vote required)

I move to accept M.G.L. Chapter 59, Section 5(17E) to increase the amount of assets certain senior citizens and surviving spouses and minors may have and qualify for an exemption under M.G.L. Chapter 59, Section 5(17D) by the COLA determined by the Commissioner of Revenue.

**18. ELDERLY TAX RELIEF – INCREASE IN EXEMPTIONS BY COLA\*\***

Motion by: Consent Agenda (or Board of Selectmen Member David Birt)

(Majority vote required)

I move to accept a M.G.L. Chapter 59, Section 5 provision added by Chapter 181 of the Acts of 1995 to increase the amount of the exemption granted to certain senior citizens and surviving spouses and minors under M.G.L. Chapter 59, Section 5(17D) by 100% of the COLA as determined by the Commissioner of Revenue.

**19. SMALL PERSONAL PROPERTY ACCOUNT EXEMPTION\*\***

Motion by: Consent Agenda (or Board of Selectmen Member Bunyard)

(Majority vote required)

I move to accept M.G.L. Chapter 59 Section 5(54), added by Chapter 159 of the Acts of 2000, to establish a minimum fair cash value requirement of \$5,000 for personal property accounts to be taxed effective the fiscal year beginning July first two thousand and four (7/1/04).

**20. HOUGHTON LANE ROAD ACCEPTANCE\*\***

Motion by: Consent Agenda (or Planning Board Member Owen Neville)

(Majority vote required)

I move to accept the laying out and establishment as a Town Way, a way known as Houghton Lane, as printed in the warrant under Article 20, and to authorize the Selectmen to acquire, by gift, the fee or any lesser interest in said way for all purposes for which public ways are used in the Town, as well as easements for drainage or otherwise in any of the lands as may be necessary in connection with use of Houghton Lane as a public way.

**21. CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM\*\***

Motion by: Consent Agenda (or Board of Selectmen Member Kristin Hilberg)

(Majority vote required)

I move to authorize the Board of Selectmen to accept Highway funds from the Commonwealth of Massachusetts and that such funds are hereby appropriated for the purpose of providing highway improvements under the authority of Chapter 90 of the general laws, and any other applicable laws.

**22. CAPITAL EXPENDITURE – HEAVY DUTY DUMP TRUCK WITH HYDRAULIC DUMP BODY**

Motion by: Board of Selectmen Member Kristin Hilberg

(Majority vote required)

I move to raise and appropriate the sum of Eighty-eight Thousand Dollars (\$88,000) for the purpose of acquiring a heavy duty dump truck with hydraulic dump body for the Public Works Department, provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at the municipal election to exempt this expenditure from the provisions of proposition two and one half, so-called.

**23. CAPITAL EXPENDITURE – ONE-TON PICK-UP TRUCK WITH PLOW**

Motion by: Board of Selectmen Member Kristin Hilberg

(Majority vote required)

I move to raise and appropriate the sum of Twenty-nine Thousand Five Hundred Dollars (\$29,500) for the purpose of acquiring a one-ton pick up truck with plow for the Public Works Department, provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at the municipal election to exempt this expenditure from the provisions of proposition two and one half, so-called.

**24. CAPITAL EXPENDITURE/LEASE – PHOTOCOPIER**

Motion by: Board of Selectmen Member Simon Bunyard

(Majority vote required)

I move to raise and appropriate the sum of Sixteen Thousand Dollars (\$16,000) for the purpose of acquiring or leasing a photocopier for the Town Hall.

**25. CAPITAL EXPENDITURE – EMERGENCY RESPONSE VEHICLE**

Motion by: Board of Selectmen Member David Birt

(Majority vote required)

I move to raise and appropriate the sum of Thirty—three Thousand Dollars (\$33,000) for the purpose of acquiring an emergency response vehicle for the Fire Department, provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at the municipal election to exempt this expenditure from the provisions of proposition two and one half, so-called.



**26. DESIGNATION OF CALL FIREFIGHTERS AS EMPLOYEES**

Motion by: Board of Selectmen Member David Birt

(Majority vote required)

I move, pursuant to M.G.L. Chapter 32B, Section 2(d) as amended by Chapter 46, Section 12 of the Acts of 2003, to designate call firefighters as employees, eligible for group health insurance to be paid 100% by the employee and further, pursuant to M.G.L., Chapter 32B, Section 14 to authorize the Board of Selectmen to adopt such rules and regulations as may be necessary for the administration of said insurance.

**27. TAX INCREMENT FINANCING AGREEMENT – INTERACTIVE DATA CORP.**

Motion by: Board of Selectmen Chair Donald Wheeler

(Majority vote required)

I move to authorize the Board of Selectmen to execute the TIF Agreement, and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement those documents.

**28. DISPOSITION OF LIBRARY BUILDING AND PROPERTY (575 MIDDLE ROAD)**

Motion by: Library Reuse Committee Members Simon Bunyard (BoS designee) and Gary Kushner (Fin Com designee)

(Two-thirds vote required)

I move to transfer, from the Library Trustees for public library purposes to the Board of Selectmen for general municipal purposes, *initially making said property available to the Historical Commission to operate a museum of town historical artifacts*, the care, custody, management and control of the existing library building and property located at 575 Middle Road, such transfer to be effective upon the determination by the Library Trustees that said building and property are no longer needed for public library purposes and upon court approval of such transfer; and to authorize the Library Trustees and the Board of Selectmen to petition the Middlesex County Probate Court to approve such transfer.

**29. PETITION ARTICLE – REUSE OF LIBRARY#**

Motion by: Petitioner Owen Neville

(Majority vote required)

I move that the Town vote to approve the Library Trustees, upon occupying the new library at 427 Massachusetts Ave., to make the existing library building and property located at 575 Middle Road available to the Historical Commission to operate a historical museum and library annex of town historical artifacts, including written historical material that would be available for persons to conduct research and furthermore to authorize the Historical Commission to work with other groups and constituencies to include additional uses compatible with the facility's primary use and physical limitations

**30. LIBRARY – FUNDING FOR ADDITIONAL HOURS OF OPERATION**

Motion by: Library Board of Trustees Member Janet Glidden

(Majority vote required)

I move to raise and appropriate the sum of Seven Thousand Ninety-six Dollars (\$7,096) for the purpose of increasing Department 610, Library as follows: "Total Salaries - Library" by Five Thousand Seven Hundred Fifty-Six Dollars (\$5,756) and "Total Other - Library" by One Thousand Three Hundred Forty Dollars (\$1,340) as voted under Article 5, in order to increase library hours of operation in FY 2005 from 36 per week to 41 per week.

**31. ZONING BYLAW AMENDMENT – REQUIRE DESIGN REVIEW IN THE BUSINESS AND BUSINESS-1 ZONING DISTRICTS**

Motion by: Planning Board Chair Karen Metheny

(Two-thirds vote required)

I move to amend the Town of Boxborough Zoning By-laws, Section 5900. Design Review to make design review applicable in the Business and Business-1 Districts by inserting the phrase, “, Business District and Business-1 District” in Section 5930 and in the last paragraph of Section 5940 as printed in the warrant under Article 31.

**32. ZONING BYLAW AMENDMENT – AMEND SECTION 2234 BUSINESS/INDUSTRIAL USES (USE SCHEDULE)**

Motion by: Planning Board member Jennie Rawski

(Two-thirds vote required)

I move to amend the Boxborough Zoning By-laws, Section 2230. Use Regulation Schedule by substituting for the use category entry: “Automobile service station, repair garage, storage garage, or like facility” in Section 2234. Business/Industrial Uses two new use category entries: “Automotive service station” and “Repair garage, auto detailing garage, or like facility” as printed in the warrant under Article 32.

**33. ZONING BYLAW AMENDMENT – AMEND SECTION 2234 BUSINESS/INDUSTRIAL USES (USE SCHEDULE) AND SECTION 6200 DEFINITION OF SELF STORAGE FACILITY**

Motion by: Planning Board Member John Markiewicz

(Two-thirds vote required)

I move to amend the Boxborough Zoning By-laws, Section 2230. Use Regulation Schedule by adding a new use category entry: “Self Storage Facility” to Section 2234. Business/Industrial Uses as printed in the warrant under Article 33.

**34. ZONING BYLAW AMENDMENT – AMEND SECTION 2300 DIMENSIONAL REQUIREMENTS BY CHANGING THE MAXIMUM NUMBER OF STORIES IN THE BUSINESS AND BUSINESS 1 DISTRICT FROM 3-STORIES TO 2-STORIES AND MAXIMUM BUILDING HEIGHT IN THE BUSINESS DISTRICT FROM 45 FEET TO 30 FEET**

Motion by: Planning Board Member David Kembel

(Two-thirds vote required)

I move to amend the Boxborough Zoning By-laws, Section 2310. Dimensional Schedule, by changing the entry under the “Maximum stories” column for the Business and Business-1 Districts from “3 stories” to “2 stories”; and by changing the entry under the “Maximum Building Height” column for the Business District from “45 feet” to “30 feet”.

**35. AMEND FEES UNDER DOG LICENSING BYLAW**

Motion by: Board of Selectmen Member Simon Bunyard

(Majority vote required)

I move to amend the Dog Licensing Bylaw by increasing said fees under section 2 as printed in the warrant under Article 35.

**36. INCREASED TOWN CLERK FEES**

Motion by: Board of Selectmen Member Simon Bunyard

(Majority vote required)

I move to amend the schedule of fees of the Town Clerk by increasing said fees as printed in the warrant under Article 36.

**37. ELECTED OFFICIALS AND GROUP INSURANCE**

Motion by: Board of Selectmen Member Les Fox

(Majority vote required)

I move to authorize the Board of Selectmen to petition the General Court for the purpose of adopting legislation entitled “An Act Relative to the Group Insurance Program of the Town of Boxborough” as printed in the warrant under Article 37.

**38. BYLAW FOR THE REMOVAL AND DISPOSAL OF CANINE WASTES**

Motion by: Recreation Commission

(Majority vote required)

I move to pass over Article 38, *Bylaw for the Removal and Disposal of Canine Wastes*.